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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/203,672	12/01/98	WEN	J 048591

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EXAMINER

AN, S

ART UNIT

PAPER NUMBER

2713

DATE MAILED:

06/13/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/203,672

Applicant(s)  
Wen et al.

Examiner  
Shawn An

Group Art Unit  
2713



☒ Responsive to communication(s) filed on Nov 22, 1999

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claims

☒ Claim(s) 8-14 is/are pending in the application.

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 8-10 and 14 is/are rejected.

☒ Claim(s) 11-13 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2713

## **DETAILED ACTION**

### ***Response to Amendment***

1. As per Applicant's instruction in Paper 6 as filed on 11/22/99, claims 1-7 have been canceled and claims 8-14 have been newly added.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8-10 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lee et al (5,748,789).

Lee et al disclose a method for use in a system comprising the steps of: generating an extended code (COD) field representing a coding state of the information (Col. 51, COD); and including in the extended code field, a bit stream indicating, whether both the motion vector and the DCT value are encoded, or whether only the motion vector is encoded (Col. 51, lines 16-18) as specified in claim 8. Even though Lee et al do not specifically disclose both the motion vector and the DCT value being not encoded, it is quite obvious if not inherent to realize determining the

Art Unit: 2713

motion vector and the DCT value being not encoded since Lee et al clearly teaches indicating whether both the motion vector and the DCT value in a macroblock being encoded as specified.

Regarding claim 9, since Lee discloses COD field being at least one bit, it is considered quite obvious to extend code field by another bit so as to prevent possible error and to provide more selective representation of encoding when video information is coded as specified.

Regarding claim 10, the Examiner notes that H.263 or MPEG-4 encoding standards are well known in the art. Therefore, it is considered quite obvious to utilize extended code field in H.263 or MPEG-4 encoding standards (Col. 3, lines 18-21) as specified.

Regarding claim 14, it is considered obvious and well known to encode only MV when motion of an image is constant in order to reduce bits required for coding video frames as specified.

***Allowable Subject Matter***

4. Claims 11-13 are objected to as being dependent upon a rejected base claim 8, but would be allowable: if claim 11 is rewritten in independent form including all of the limitations of the base claim 8 and any intervening claims. Accordingly, if the amendments are made to the claims listed above, and if rejected claims are canceled, the application would be placed in condition for allowance.

Art Unit: 2713

***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Lee et al (5,946,043), Video coding using adaptive coding of block parameters for code/uncoded blocks.

B) Matsumura et al (5,847,763), Moving picture transmission system.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number is (703) 305-0099.



CHRIS S. KELLEY  
SUPERVISORY PATENT EXAMINER  
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ssa

June 7, 2000